

Honorable Julius Genachowski, Chairman  
Commissioner Michael J. Copps  
Commissioner Robert M. McDowell  
Commissioner Mignon Clyburn  
Commissioner Meredith Attwell Baker  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554  
Re: CG Docket Nos. 03-123 and 10-51

Dear Chairman Genachowski and Commissioners Copps, McDowell, Clyburn, and Baker:

I write to you as a parent of a deaf child, as a family member of deaf persons, as a VRS hearing caller myself in my personal life, as a community member interested in advocating for equality, and as a professional working in the VRS industry. I implore you all to look very seriously at the repercussions of your decisions and the destructive outcome that is sure to follow if the current proposal for rates is adopted. I ask that ensuring that deaf individuals have immediate access to Video Relay Services be of top priority for you as Chairman and Commissioners of the Federal Communications Commission (FCC).

As an employee of a Video Relay Service (VRS) provider, I have the great fortune of assisting deaf, hard of hearing, and deaf/blind individuals to communicate by videophone in their native language of American Sign Language using VRS. I have seen first-hand that this life-altering service is a vital in connecting deaf people to the hearing community. This allows them equal access to medical care, career advancement, 911 services, and many other important daily life activities.

It is expressed to me each day by callers, both hearing and deaf, how critical this service is to their independence and equal status, as the ADA and related laws intended. The Americans with Disabilities Act (ADA) requires the FCC to make available to all deaf individuals nationwide ?functionally-equivalent? communications.

You will soon determine the future of VRS. When you set the VRS rate, you will determine whether America makes progress toward the statutory goals of functional equivalence, nationwide access and inclusion ? or force deaf users to revert to TTY communications. This regression would have a devastating impact upon the lives of VRS consumers whose native language is ASL, and second language is English. This would make communicating via any phone system impossible for anyone whose first language is anything other than ASL or English, further isolating these populations. Miscommunications, long holds to get an interpreter, reverting back to antiquated technology, would set us back decades.

I was devastated to see the Commission's recent Public Notice on VRS rates. For the sake of callers, in the interest of high quality services which are readily available, and in the pursuit of ethical decisions in this industry, I ask you to reconsider and pay each company equally for equal services. These current proposals would put an end to VRS as we know it. It would eliminate equal opportunities in employment and daily living for the deaf community. Ultimately this will disconnect the deaf community from the hearing community at large. All progress would be lost.

My employer has already informed me that if these proposed rates are adopted, our company would head into bankruptcy. This would be disastrous for deaf VRS users. I previously was employed by a competing VRS provider. I decided to leave that company and accept a position with my current provider because I discovered why my employer had grown to be the top VRS provider. This is due to the high quality, detailed management, and ethical practices of the company and I quickly learned why the majority of VRS customers choose to use their services.

In the event that my employer were to be forced into bankruptcy, the true crisis remains for the deaf callers. No other VRS provider is prepared to handle the call volume, or demand for quality, which we provide. Should any company attempt to grow in order to take on those callers, they would not only need years to do so - leaving our callers struggling in the meantime, but in that effort they would put themselves into the low pay range and end up in the same predicament. In the interest of the callers who have the right to services just as hearing people enjoy every day, please do not take away that option for the deaf community.

I also left my former VRS employer due to unethical, potentially fraudulent, and unprofessional practices. When I reported such activities and concerns to management of various levels, nothing was done. Those who caused me great concern remain in those companies working today. It is disturbing as a professional, a tax payer, a person who pays the relay surcharge on numerous accounts, to know that this mismanaged smaller VRS provider who makes no effort to correct questionable business practices will earn more money per minute per the FCC proposal. I believe all companies, regardless of minutes, should be paid equally for equal services. And consideration should be given to the reasoning behind my current employer's growth, rewarding its contribution to the heart and intent of the ADA, rather than penalizing it for its leadership in service provision.

Recent developments in VRS such as enhanced 911 services, 10-digit numbering, a better-trained pool of interpreters and quality videophones, are reasons to consider the fairness of rates necessary. Progress towards functional equivalence will be destroyed if the FCC does not encourage VRS providers to improve VRS and make it more widely available. VRS is a recent advancement that benefits those who are deaf. It would be tragic if the FCC were to destroy this service that is so vital to the deaf and set us back.

Recent reports of fraud in the VRS industry are disturbing to employees who work for a company that has operated within current FCC guidelines and has worked to maintain the integrity of the VRS fund. The FCC must devote more of its time and energy to focusing on the elimination of fraud. Rates which would ultimately remove the industry's leader(s) would only create gaps in service and opportunities for corrupt business practices in those providers seeking more minutes.

I urge you to establish a fair and predictable rate for VRS that will encourage integrity, ethical business practices, equality of services for all callers, and choices in providers and services. The law requires it and it is the right thing to do.

Sincerely,  
Judy A. Leach